

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Sensa Verogna,

Plaintiff,

v.

Twitter, Inc.,

Defendant.

Case No. 1:20-cv-00536-SM

**Request for Expedited Treatment
Pursuant to L.R. 7.1(f)**

TWITTER, INC.’S MOTION TO EXTEND TIME TO RESPOND

Defendant Twitter, Inc. (“Twitter”), on an expedited basis pursuant to Local Rule 7.1(f), files this Motion to Extend Time to Respond to Plaintiff Sensa Verogna’s Rule 5.1 Motion To Declare Title 47 U.S. Code § 230 Unconstitutional Under Law [Doc. 45] (“Rule 5.1 Motion”). As grounds for this Motion, Twitter states as follows:

1. Twitter requests a thirty-day extension of its deadline to respond to the Rule 5.1 Motion. That motion was served on Twitter on August 6, 2020. The docket reflects that Twitter’s deadline to object is August 20. *See also* L.R. 7.1(b) (providing 14 days for objections to motions). As a result of the extension, Twitter’s new deadline to respond to the Rule 5.1 Motion would be September 19, 2020¹ or another date the Court deems appropriate.

2. Twitter seeks an extension neither in bad faith nor for purposes of delay. Instead, Twitter needs additional time because Plaintiff’s Rule 5.1 Motion is nearly 60 pages long, with a memorandum of law that is 55 pages, and is filled with at least a dozen distinct constitutional

¹ Because September 19 is a Saturday, Twitter’s objection would be due that Monday, September 21. *See* Fed. R. Civ. P. 26(a)(1)(C) (“if the last day is a Saturday...the period continues to run until the end of the next day that is not a Saturday [or] Sunday”).

arguments and theories. *See* [Doc. 45, at 2-4] (listing numerous constitutional questions presented by the motion). Plaintiff's Motion contravenes the page limits of the Local Rules and prejudices Twitter by depriving it of an adequate time to prepare an appropriate response or other challenge to Plaintiff's voluminous filing, should one be required.²

3. This extension would not result in the continuance of any hearing, conference, or trial.

4. Twitter requests expedited consideration of this Motion, pursuant to Local Rule 7.1(f), because Twitter requests that relief be granted prior to Twitter's current deadline to object, August 20, 2020.

5. An attempt was made to obtain Plaintiff's concurrence to the relief sought through this Motion, but Twitter did not hear back from Plaintiff prior to the filing of this Motion.

6. Twitter does not file a memorandum of law herewith as all authority in support of this Motion is cited herein.

WHEREFORE, the Defendant, Twitter, Inc., respectfully requests that this Honorable Court:

A. Enter an order granting Twitter's Motion to Extend Time to Respond, and extending Twitter's deadline to prepare a response or other challenge to Plaintiff Sensa Verogna's Rule 5.1 Motion To Declare Title 47 U.S. Code § 230 Unconstitutional Under Law [Doc. 45] to September 19, 2020; and

B. Grant such other and further relief as the Court deems just.

² A response may not be needed, as Twitter has moved to dismiss, and separately moved to stay all motions practice in this case pending the determination of that motion to dismiss. *See* [Doc. 3] (Twitter's Motion to Dismiss); [Doc. 24] (Twitter's Motion to Stay Proceedings). An order on either of those motions may obviate any need for Twitter to respond to the Rule 5.1 Motion.

Respectfully submitted,

Twitter, Inc.

By its attorneys,

Dated: August 14, 2020

By: /s/ Jonathan M. Eck
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CERTIFICATE OF SERVICE

I, Jonathan M. Eck, certify that on this date service of the foregoing document was made upon the Plaintiff, *pro se*, via email.

Dated: August 14, 2020

/s/ Jonathan M. Eck
Jonathan M. Eck, Esq. (NH Bar #17684)